

Article - Natural Resources

[\[Previous\]](#)[\[Next\]](#)

§3–101.

(a) In this subtitle the following words and terms have the meanings indicated.

(b) “Board” means the Board of Directors of the Maryland Environmental Service.

(c) “Bonds” means all bonds or other evidences of indebtedness of the Service other than notes, whether general or limited obligations of the Service.

(d) “Cost” as applied to a water supply project, a solid waste disposal project, a wastewater purification project, an energy project, a service area, a service district, or to any activity undertaken by the Service, includes: (1) the cost of construction or acquisition, including the purchase price of any existing project or the cost of acquiring all or any portion of the right, title, or interest in the project and the amount to be paid to discharge all obligations necessary to vest title to the project or any part of it in the Service or other owner; (2) the cost of any reconstruction, extension, enlargement, alteration, repair, or improvement; (3) the cost of all lands, properties, rights, easements, interests, franchises, and permits acquired; (4) the cost of all labor, machinery and equipment, financing charges, interest prior to and during construction and for such period after completion of construction as the Service deems appropriate; (5) the cost of revenue estimates, engineering and legal services, plans, designs, specifications, surveys, investigations, demonstrations, studies, estimates of cost, other expenses necessary or incident to determining the feasibility or practicability of any such acquisition, improvement, or construction; (6) administrative and overhead expenses, and all expenses necessary or incidental to the financing herein authorized, and to the acquisition, operation, maintenance, improvement, construction of water supply, liquid, solid waste, and energy project facilities, and the placing of these project facilities in operation, including reasonable provision for working capital; (7) reserves for principal and interest and for extensions, enlargements, additions and improvements. Any obligation or expense incurred prior to the issuance of bonds or notes under the provisions of this title in connection with the foregoing items of cost may be regarded as a part of such costs.

(e) The word “county” includes Baltimore City unless otherwise indicated.

(f) “Director” means Director of the Maryland Environmental Service.

(g) “Energy project” means any service, facility, system, or property, real or personal, used, useful, or having present capacity for use in connection with:

(1) Energy conservation; or

(2) The production, generation, or distribution of energy from a renewable or other energy source.

(h) “Facility” means a physical structure or appurtenance built, constructed, acquired, installed, or established to perform a function or service in connection with a water supply, wastewater purification, solid waste disposal, or energy project whether publicly or privately owned and whether existing or proposed.

(i) “Liquid waste” means:

(1) Stormwater runoff; and

(2) Any water-carried wastes or wastes which are liquid in nature created in and carried away, or to be carried away, from residences, institutions, industrial establishments, commercial establishments, or any other public or private building, structure, or facility.

(j) “Municipality” means any county, municipal corporation, sanitary district, State or local unit, or other public body or unit created or established by or pursuant to State or local law, ordinance, or resolution.

(k) “Notes” means bond anticipation notes, revenue anticipation notes, and grant anticipation notes of the Service, whether general or limited obligations of the Service.

(l) “Person” means any natural person, individual, firm, partnership, association, cooperative, limited liability company, corporation, or other entity.

(m) (1) “Project” means a solid waste disposal project, a wastewater purification project, a water supply project, or an energy project, as the case may be.

(2) “Project” includes any service, facility, or property used or useful or having present capacity for future use in connection with:

(i) The transporting, transferring, compacting, burying, incinerating, reduction, composting, collection, storage, treatment, utilization, processing, or final disposal of liquid wastes, solid wastes or water, as the case may be;

(ii) The conversion of liquid wastes, solid wastes or water, as the case may be, to fuel, steam, electricity, energy, or other resources or the generation of steam, electricity, or other forms of energy from fuel which is derived from, or is otherwise related to, liquid wastes, solid wastes or water, as the case may be;

(iii) The reconstruction, converting or otherwise recycling of liquid wastes, solid wastes or water, as the case may be, into material which is not liquid waste, solid waste or water or which is useful or is marketable; or

(iv) Any combination of items (i) through (iii) of this paragraph, whether or not such facilities are located on a single site.

(3) “Project” also includes:

(i) Waste disposal facilities, pollution control facilities, and facilities for generating and furnishing electric energy or gas or other forms of energy which can be financed by bonds the interest on which is exempt from income tax under the Internal Revenue Code of 1986, as amended, whether such interest would have been tax exempt at the time of the enactment of this subtitle or of any amendment thereto; and

(ii) Any facilities and properties within the definition of “project”, “solid waste disposal project”, “wastewater purification project”, “water supply project”, or “energy project” set forth in this subsection, whether or not such facilities or properties can be financed by bonds the interest on which is tax exempt under the Internal Revenue Code of 1986, as amended, it being the purpose and intent of this subtitle that the terms “project”, “solid waste disposal project”, “wastewater purification project”, “water supply project”, and “energy project” be liberally construed so as to effectuate the purposes of this subtitle.

(4) “Project”, “solid waste disposal project”, “wastewater purification project”, “water supply project”, and “energy project” include land, buildings, structures, machinery, equipment, rail or motor vehicles, barges, boats, and all properties and rights therein and appurtenances thereof, rights-of-way, franchises, easements, and other interests in land, all land and facilities that are functionally or administratively related and subordinate to the solid waste disposal project, wastewater purification project, water supply project, or energy project, as the case may be, and all patents, licenses, and other rights necessary or useful in the planning, development, construction, or operation of a solid waste disposal project, wastewater purification project, water supply project, or energy project.

(n) “Service” means the Maryland Environmental Service.

(o) “Service district” means a geographic area established by the Service, after consultation with the municipalities affected, for the purpose of providing water supply projects, wastewater purification projects or solid waste disposal projects. Service districts may encompass areas containing projects of the Service as well as nonduplicating, noncompetitive projects owned and operated by municipalities or persons. Service districts shall be based upon approved State–county master water and sewerage plans or solid waste disposal plans, if any, adopted pursuant to the Environment Article, but they may also take account of other plans and studies.

(p) “Service region” means a geographic area which the Maryland Environmental Service designates and within which the Director, after consultation with the municipalities affected, causes surveys, plans, studies, and estimates to be made for the purpose of determining the most dependable, effective, and efficient means of providing services through water supply projects, solid waste disposal projects, or wastewater purification projects. Service regions shall be based upon needs set forth in approved State–county master water and sewerage plans, or solid waste disposal plans, if any, adopted pursuant to the Environment Article, but they may also take account of other plans and studies.

(q) “Solid waste disposal project” means any service, facility, or real or personal property used or useful or having present capacity for future use in connection with the measurement, management, collection, disposal, prevention, or recycling of solid wastes by any means, including disposal, recovery, or reuse to produce energy or products, or otherwise.

(r) “Solid wastes” means all waste materials, whether solid, liquid, or gas, including liquid wastes. The term includes garbage, rubbish, ashes, incinerator residue, wastewater treatment residue, street cleanings, dredged materials, dead animals, demolition and construction debris, household appliances, hazardous materials, automobile bodies, offal, paunch manure, methane or any other gases, sewage sludge and solid or gaseous waste materials from commercial, agricultural, residential, industrial, or community activities.

(s) “Wastewater purification project” means any service, facility, or property, real or personal, used or useful or having present capacity for future use in connection with the measurement, management, prevention, redirection, collection, or treatment of liquid wastes.

(t) “Water supply project” means any service, facility, or property, real or personal, used, useful, or having present capacity for future use in connection with water supply, protection, and distribution, including any water treatment facility or property and rights therein and appurtenances thereto.

[\[Previous\]](#)[\[Next\]](#)